

**THE COMMON COUNCIL OF THE CITY OF NEW ALBANY,
INDIANA HELD A MEETING IN THE CITY/COUNTY BUILDING
ON WEDNESDAY, DECEMBER 21, 2006.**

The meeting of the **New Albany City Council** was called to order by President Jeff Gahan at 7:30 p.m. The meeting opened with the Lord's Prayer and the Pledge of Allegiance.

MEMBERS PRESENT: Council Members Mr. Coffey, Mr. Price, Mr. Kochert, Mrs. Crump, Mr. Blevins, Mr. Messer, Mr. Seabrook, and President Jeff Gahan. Mr. Schmidt was not present.

OTHERS: City Attorney Shane Gibson and City Clerk Marcey Wisman.

ALSO: John Rosenbarger, Adam Dickey, Scott Wood, Planning and Zoning, Brian Dixon, EMC, Paul Wheatley, Economic Development Director, and Mayor James E. Garner, Sr.

ROLL CALL:

Mr. Seabrook moved to send flowers to Mr. Schmidt, Mr. Messer second, all voted in favor

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Crump moved to approve regular meeting minutes of December 4, 2006 as amended, Mr. Kochert second, all voted in favor.

COMMUNICATIONS – PUBLIC:

Jack Vissing, 432 E. Court, Tourism Bureau, spoke in favor of the Tourism Bureau Bond and explained that the money that will pay this bond will come from the 1% additional money that can only be used by them to pay a bond issued by someone else and that they have used this fund for various projects in the past.

Michael Dalby, One Southern Indiana addressed the board about information that was in the packets regarding the city becoming a partner to help with the Economic Development of the area by making contributions.

COMMUNICATIONS – CITY OFFICIALS:

Mr. Kochert presented a sewer report to the council and asked that Mr. Dixon to give a brief explanation of the project on Old Ford Road.

Mr. Dixon explained that while they were televising the line on Old Ford Road they found a 15" line that goes to an 8" line and back to a 15" line and this could cause an over flow situation during heavy rains and they have requested that the Sewer Board replace that line with a 15" line. He went on to state that they asked for quotes from 6 contractors, received 4 responses. The lowest bid was from Team Contracting for \$57,782.00 and they would like to ask the council for appropriations of funds for the project.

Mr. Messer asked how much road would be damaged.

Mr. Dixon said they would probably have to trench through about 600 feet.

Mr. Messer asked if the bid included resurfacing the entire road.

Mr. Dixon explained that the bid was only to patch the road.

Mr. Seabrook asked if Mr. Dixon would get a quote to repave the whole road.

Mr. Coffey asked Mr. Dixon why this situation wasn't discovered in the past.

Mr. Dixon stated that this is the first time EMC has televised this line and couldn't speak about what was done before them. He explained that they have a plan to finish the areas that the EPA has deemed critical by the end of 2009 and that they have copies of the tapes at the plant of the ones that have already been done.

Mr. Coffey asked how much the city has spent to have these lines televised in the past.

Mr. Dixon said he was unable to answer that question.

Mrs. Crump read a written report from the Ambulance Committee meeting. Said report is on file with the City clerk's office.

Mr. Seabrook thanked the council members for his three years of working together and he thanked the members of the public who attend the meetings for coming and adding another level of checks and balances. He introduced his replacement, Kevin Zurschmiede.

Chief Toran asked for a copy of the committee report. He said that he would welcome an audit. He also addressed the issues with G-06-21 and stated that he received calls from the public regarding the current ordinance because it is discriminatory toward minorities.

COMMUNICATIONS – MAYOR:

Mayor Garner approached the council and gave his State of the City address. He also addressed the issue of the Fire Hiring ordinance and asked that they have all three readings.

Mr. Blevins asked the Mayor what the status was on purchasing the new sanitation trucks.

Mayor Garner stated that Kay had been working with a company in Louisville in order to do a reverse auction on the truck. He said that they will be advertising in the paper next week for the auction.

Mr. Blevins asked Mayor Garner if they signed an additional three year contract with Southern Indiana Waste.

Mayor Garner stated that they had not.

Mr. Blevins asked Mayor Garner if they had signed the dumpsters over to a private company.

Mayor Garner stated that they hadn't nor were they going to.

APPOINTMENTS:

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: READING

R-06-45	Resolution to Fund an Annexation Study and Capital Improvement Plan	Messer
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Mr. Messer moved for the reading of R-06-45, Mr. Kochert second, all voted in favor.

Mr. Coffey stated that he wanted the public to know that it would be a minimum of three years before we will receive any taxes from this area.

Mr. Messer stated that this is just a study to see if this will help the city.

Mr. Coffey brought up the issues of needing to add police and fire and that that is a lot of money to answer questions they already knew the answers to.

Mr. Messer stated that this is something that is going to have to be done eventually and they could wait and pay more money to have it done at a later date, but the sooner the study is done the sooner they will know the figures for when it will be the best time to annex.

Mr. Coffey stated that a lot of the information that they would need could be procured from online sources and that the history of New Albany show people moving out not in.

All voted in favor with the exception of Mr. Coffey, Mr. Price, and Mr. Blevins who voted nay.

G-06-21	An Ordinance to Amend Section 32-80 of the Code Of Ordinances: The New Albany Fire Department Candidate Selection Act	Blevins 1
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Mr. Blevins stated that he would like to table this until after the first of the year and have the committee meet on this with their attorney to be sure that this will help them to avoid any lawsuits.

Mr. Coffey asked the mayor how far this would put him behind on hiring firefighters.

Mayor Garner stated that they are going to put the hiring process on hold.

There was a lengthy discussion regarding the discrepancies in the current hiring ordinance.

G-06-20	An Ordinance Of The City Of New Albany, Indiana, Authorizing The Issuance Of Its Capital Development Tourism Fund Revenue Bond, Series 2006; Authorizing The Solicitation Of Competitive Bids For The Purchase Of The Bond; Authorizing The Execution And Delivery On Behalf Of The City Of A Pledge Agreement Between The City And The Clark-Floyd Counties Convention And Tourism Bureau, In Order To Provide Security And A Source Of Payment For The Bond; And Taking Other Related Action.	Seabrook 2&3
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Mr. Seabrook stated that Mr. Vissing answered questions that he had regarding this ordinance in that the city is no way paying for this that it will be paid from the room tax.

Mr. Seabrook moved for the second and third readings of G-06-20, Mr. Messer second.

Mr. Coffey asked what the signs would look like.

Mr. Wood gave a lengthy explanation of the signs that would be used and presented a packet.

Mr. Vissing stated that the Tourism Bureau does not have a problem with paying for the signs they feel that it will help with tourism.

Mr. Coffey asked if there would be any wording on these signs that referenced any city official.

Mr. Wood said that no ones name would be on the signs.

Mr. Price asked Mr. Vissing if the default and remedies paragraph could be removed since the city is not liable for payment.

Mr. Vissing stated that he wouldn't have any problem with removing that paragraph but that the funding is set up that way and the bond company won't sign off on the bond.

There was a lengthy discussion regarding the details of the bond and if the city had any monetary obligation.

Mr. Ulrich stated that from his review it looks as if the document makes the city the guarantor.

There was a lengthy discussion regarding the legal language

All voted in favor on the second and third reading with the exception of Mr. Price who voted nay. Bill G-06-20 became Ordinance G-06-46

Mrs. Garry opened the following bid on the bonds:

Community Bank - 6.15% interest

Mr. Vissing said the closing should be the 28th or the 29th of December.

Mr. Gahan thanked everyone for a wonderful year.

There being no further business before the council, the meeting adjourned at 8:40p.m.

Jeff Gahan, President
Common Council, City of New Albany

ATTEST: _____
Marcey Wisman, City Clerk